



PATENT  
450100-03743

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Tomohiro Nishi, et al.  
Serial No. : 10/085,659  
Filed : February 26, 2002  
For : OPTICAL STATE MODULATION METHOD AND SYSTEM, AND  
OPTICAL STATE MODULATION APPARATUS  
Examiner : Yenke, Brian P.  
Art Unit : 2614

745 Fifth Avenue  
New York, NY 10151  
Tel: 212-588-0800

**Mail Stop Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required.  
☒ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

**Claims as Amended**

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	23	Minus	** = 23	* 0 x	\$50 (25)	= \$ 0
Independent claims	15	Minus	*** = 15	* 0 x	\$200 (100)	= \$ 0
Total additional fee for this amendment						\$ 0

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

☐ This application contains a multiple dependent claim. The required fee of \$360(180) has been previously paid ☐, or is paid herewith ☐.

☐ This response is being filed within the \_\_\_\_\_ month following the expiration of the term originally set therefor. This is a petition to request a \_\_\_\_\_ month extension of time. A check covering the cost of the petition is enclosed.

☒ A check in the amount of \$130.00 is attached, which covers the cost of ☒ Terminal Disclaimer \_\_\_\_\_ petition for extension of time.

☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 50-0320.

☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on February 28, 2005.

Thomas F. Presson, Reg. No. 41,442

Name of Applicant, Assignee or Registered Representative

Thomas F. Presson  
Signature

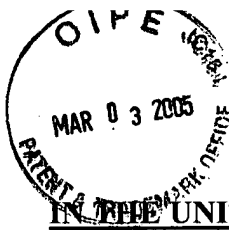
February 28, 2005

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By: Thomas F. Presson  
Thomas F. Presson  
Reg. No. 41,442  
Tel: 212-588-0800



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PATENT  
450100-03743

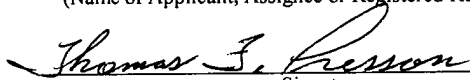
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Confirmation No. : 8660

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February 28, 2005

Thomas F. Presson, Reg. No. 41,442  
(Name of Applicant, Assignee or Registered Representative)

  
Signature

February 28, 2005

Date of Signature

**RESPONSE UNDER 37 C.F.R. § 1.121**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on November 26, 2004, having a three-  
month statutory period for response set to expire on February 28, 2005 (February 26, 2005 being  
a Saturday). Applicants respond as follows.

**Remarks** begin on page 3 of this paper.